CA2ON
Z 1
-63A22

Box: I-25-
10

October 17, 1963.

The Ontario Committee On Taxation,
88 University Ave.,
Toronto.

H.R. Hanson, Secretary.

Re: Lawful Taxation

Dear Mr. Hanson:

Please direct your attention to the plight of one Fredrick Wilmar Fawcett, who has been committed to Ontario Hospital now over two years. Two independent psychiatrists have found Fawcett competent.

The real motive back of Ontario committing this competent man is a question of lawful taxation.

> "The Province will carry out in accordance with the terms thereof every contract to purchase or lease any Crown lands, monies or minerals and every other arrangement whereby any person has become entitled to any interest therein as against the Crown, and further agrees not to affect or alter any term of any such contract to purchase, lease or other arrangement by legislation or otherwise, except either with the consent of all the parties thereto other than Canada, or in so far as any legislation may apply generally to all similar agreements relating to lands, mines or minerals in the Province or to interests therein, irrespective of who may be the parties thereto." Page 261, Section 2, British North America Act.

Ontario respects this provision relative to the Royal York Hotel, the Ashdale property, 1444 Queen Street East, Toronto, Ontario, and others, BUT when this question was raised in Matsuoka vs Fawcett, Justice Meran found a procedural error for excuse to dismiss the case without a ruling on the question of lawful taxation. Fawcett claims his land by virtue of an absolute, non-assessable grant purchased by his ancestor for the sum of eighty pounds sterling. Commitment of Fawcett delays a suit brought by him in the Supreme Court of Ontario on this question of Tax. Ontario pays these judges that they might interpret the laws, yes, the laws on taxation. Why is it necessary to hire more men to tell the province what CONSTITUTIONAL TAXATION really is?

I am indeed glad for your appointment because if you are sincere you will want to know what the courts consider lawful taxation in Ontario, before you make any recommendation. You will want the Courts to make a finding in the Fawcett tax case. I am aware Fawcett is held by reason of a charge of threatening which has been pending now over two years, which the Crown did not want to hold trial on. INTERNMENT WITHOUT TRIAL! For daring to question a tax!

Signed

Thomas David

Ralph David, 586 Cexwell Ave.,
Toronto.

CA2ON
Z 1
-63A22

October 24, 1963.

The Ontario Committee on Taxation,
88 University Ave.,
Toronto 1, Ont.

M.R. Hanson, Secretary.

Dear Mr. Hanson:

Thank you for your letter of October 23.

I would like to repeat myself. If the Committee on Taxation intends to appraise the question of taxes in Ontario with the idea of giving suggestions, the Committee will need to know the answer to the question raised in the Fawcett case, now pending in the Supreme Court of Ontario.

Itseems only incidental that your asking about what is lawful taxation has bearing on how the court has delayed this case. The important thing, as far as the commission is concerned, is that recommendations made by them suggest lawful taxation.

If the secretary means to ignore important questions raised about taxation, simply because the question is now before a court where it has been delayed not only one, but for more than two years, the suggestions made by the commission will have doubtful value.

Yours truly,

Signature,

Thomas David,
586 Coxwell Ave.,
Toronto 6.